

TO: The Honorable Board of Supervisors

FROM: F. Craig Meadows, County Administrator

DATE: August 23, 2010

SUBJECT: AGENDA REPORT

I. CALL TO ORDER

II. INTO CLOSED MEETING

BE IT RESOLVED, The Board of Supervisors hereby enters into Closed Meeting for the purpose of discussing the following:

Section 2.2-3711

- (1) Discussion, Consideration or Interviews of Prospective Candidates for Employment; Assignment, Appointment, Promotion, Performance, Demotion, Salaries, Disciplining or Resignation of Specific Officers, Appointees or Employees of Any Public Body
 1. Board of Equalization
 2. Parks and Recreation Commission
 3. County Administrator's Annual Review

III. OUT OF CLOSED MEETING

BE IT RESOLVED, The Board of Supervisors ends their Closed Meeting to return to Regular Session.

IV. CERTIFICATION OF CLOSED MEETING

WHEREAS, The Board of Supervisors of Montgomery County has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such Closed Meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this

certification resolution applies, and (ii) only such public business matters as were identified in the motion conveying the closed meeting were heard, discussed or considered by the Board.

VOTE

AYES

NAYS

ABSENT DURING VOTE

ABSENT DURING MEETING

V. INVOCATION

VI. PLEDGE OF ALLEGIANCE

VII. PUBLIC HEARING

A. SUBJECT: BOARD OF SUPERVISORS

The following public hearing was advertised pursuant to law in the Current Section of the Roanoke Times on July 28 and August 4, 2010:

Special Use Permit – Joseph & Elizabeth Maxwell- Telecommunication Tower –
CONTINUED

A request by Joseph & Elizabeth Maxwell (Agent: Rich Rosenfeld) for a special use permit on 25.12 acres in a General Business (GB) zoning district to allow a 199 ft. telecommunication tower. The property is located at 1485 Harding Road, approximately 350 feet south of the intersection with Fleets Way (private), and is identified as Tax Parcel No. 041-A-60 (Acct # 012046) in the Mount Tabor Magisterial District (District A). The property currently lies in an area designated as Residential Transition in the 2025 Comprehensive Plan.

NOTE: At their August 11, 2010 meeting, the Planning Commission tabled this request pending additional information. Therefore, the Board of Supervisors continues this public hearing to September 27, 2010. See TAB **A** for a copy of the Planning Commission's letter tabling the public hearing.

Anyone who is here to speak on the SUP request may address the Board at this time.

VIII. PUBLIC ADDRESS

IX. WORK SESSION

BE IT RESOLVED, The Board of Supervisors hereby enters into Work Session for the purpose of discussing the following:

1. County's Debt Capacity and Financial Status
2. Update on Public Safety Building Project

X. OUT OF WORK SESSION

BE IT RESOLVED, The Board of Supervisors ends their Work Session to return to Regular Session.

XI. ADDENDUM

XII. CONSENT AGENDA

XIII. NEW BUSINESS

A. SUBJECT: PERSONAL PROPERTY TAX RELIEF PERCENTAGE FOR 2010

PROPOSED RESOLUTION:

R-FY-11 RESOLUTION ESTABLISHING THE PERSONAL PROPERTY TAX RELIEF PERCENTAGE FOR 2010

WHEREAS, The Personal Property Tax Relief Act of 1998, Virginia Code §58.1-3523, et seq. ("PPTRA"), has been substantially modified by the enactment of Chapter 1 of the Acts of Assembly, 2004 Special Session I (Senate Bill 5005), and the provisions of Item 503 of Chapter 951 of the 2005 Acts of Assembly (the 2005 revisions to the 2004-06 Appropriations Act, hereinafter cited as the "2005 Appropriations Act"); and

WHEREAS, These legislative enactments required the County of Montgomery, Virginia, to take affirmative steps to implement these changes and to provide for the computation and allocation of relief provided pursuant to the PPTRA as revised; and

WHEREAS, These legislative enactments provide for the appropriation to the County of Montgomery, Virginia, commencing in 2006, of a fixed sum to be used exclusively for the provision of tax relief to owners of qualifying personal use vehicles that are subject to the personal property tax ("PPT") on such vehicles and provide the opportunity for the County of Montgomery, Virginia, to fashion a program of tax relief that serves the best interest of its citizenry; and

WHEREAS, The Board of Supervisors adopted an ordinance to implement the changes to PPTRA affected by legislation adopted during the 2004 Special Session I and the 2005 Regular Session of the General Assembly of Virginia on November 28, 2005.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that the rate of 100% of relief shall be applied to each qualifying vehicle valued at \$1,000 or less and that the rate of 56.94% shall be applied to the first \$20,000 in value of each qualifying vehicle with a value above \$1,000. Those rates of relief are estimated to exhaust PPTRA relief funds available to the County of Montgomery, Virginia, by the Commonwealth of Virginia for Tax Year 2010.

FURTHER BE IT RESOLVED, That any amount of PPTRA relief not used within the County of Montgomery's Fiscal Year shall be carried forward and used to increase the funds available for personal property tax relief in the following Fiscal Year.

ISSUE/PURPOSE: Establish personal property tax relief percentage.

JUSTIFICATION: Each year, the County establishes a tax relief percentage based on the amount of state funding proportional to the tax levy on qualifying motor vehicles. Last year, the relief percentage was 65.16%. This year, the total personal property value is more than the prior year. Therefore, the relief percentage has decreased to 56.94%.

**B SUBJECT: RESOLUTION OF APPRECIATION
 -MONTGOMERY COUNTY ELECTORAL BOARD -
 JOHN S. NOWLIN**

**R-FY-11-
RESOLUTION OF APPRECIATION
MONTGOMERY COUNTY ELECTORAL BOARD
JOHN S. NOWLIN**

WHEREAS, John S. Nowlin served Montgomery County citizens as a member of the Montgomery County Electoral Board from March 1, 2007 until February 28, 2010; and

WHEREAS, During his 3 years of service the total number of registered voters in Montgomery County has grown from 47,062 in 2007 to 54,597 in 2010; and

WHEREAS, John S. Nowlin assisted in the administration of 7 elections, changed polling places to meet the needs of our citizens, and oversaw the logic and accuracy testing plus loading of the ballot on our 115 DRE voting machines and our optical scan machine; and

WHEREAS, John S. Nowlin attended various seminars and workshops sponsored by the State Board of Elections concerning law changes, conducting Officers of Election training, the impact to localities of the Help America Vote Act, the Voting Rights Act, handling of campaign expense reports and contributions, and many other issues relating to the electoral process; and

WHEREAS, John S. Nowlin worked with the General Registrar, the Montgomery County Planning Department and the County Attorney with the changing of polling places and emergency precinct changes and assisted the other members of the Board in overseeing the largest election in the history of Montgomery County during the 2008 Presidential Election; and

WHEREAS, The Board of Supervisors fully recognizes the hard work, dedication, wisdom, and outstanding leadership **John S. Nowlin** demonstrated in his 3 years of service to the citizens of Montgomery County.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia, on behalf of the entire citizenship, expresses its appreciation and gratitude to **John S. Nowlin** for his outstanding dedication to the citizens of Montgomery County.

BE IT FURTHER RESOLVED, That the original of this resolution be presented to **John S. Nowlin** and that a copy be made a part of the official minutes of Montgomery County.

XIV. COUNTY ATTORNEY'S REPORT

XV. COUNTY ADMINISTRATOR'S REPORT

XVI. BOARD MEMBERS' REPORT

1. Supervisor Politis
2. Supervisor Muffo

3. Supervisor Creed
4. Supervisor Brown
5. Supervisor Marrs
6. Supervisor Biggs
7. Supervisor Perkins

XVII. OTHER BUSINESS

XVIII. ADJOURNMENT

FUTURE MEETINGS

Special Joint Meeting with School Board

Monday, August 30, 2010
6:00 p.m.

Regular Meeting
Monday, September 13, 2010
6:00 p.m. – Closed Meeting Items
7:15 p.m. Regular Agenda

Adjourned Meeting
Monday, September 27, 2010
6:00 p.m. – Closed Meeting Items
7:15 p.m. Regular Agenda

Regular Meeting
Tuesday, October 12, 2010
6:00 p.m. – Closed Meeting Items
7:15 p.m. Regular Agenda

Adjourned Meeting
Monday, October 25, 2010
6:00 p.m. – Closed Meeting Items
7:15 p.m. Regular Agenda